REMARKS

In accordance with the foregoing, claims 1 and 10-13 are amended. No new matter is presented and, accordingly, approval and entry of the amendments to the claims are respectfully requested.

Claims 1-15 are pending and under consideration. Reconsideration is requested.

I. Rejection of claims 1-9 and 13-15 under 35 U.S.C. §101

In item 7 of the Office Action, the Examiner rejects claims 1-9 and 13-15 under 35 U.S.C. §101. The Examiner asserts that:

> Claims 1-9 or 13-15 transform subject matter to a different state or thing or recite a particular apparatus for performing the methods. Rather, all of the steps may be performed by a human, by hand, or by mental steps.

(See, Office Action at page 4).

Independent claim 1 is amended herein to recite "a polling method performed by a processor." Independent claim 13 is amended in a similar manner.

Applicants submit that independent claims 1 and 13 (and dependent claims 2-9 and 14-15) comply with 35 U.S.C. §101.

Conclusion

Thus, withdrawal of the rejection of claims 1-9 and 13-15 under 35 U.S.C. §101 is requested.

II. Rejection of claims 1-6 and 10-15 under 35 U.S.C. §102(b)

In item 9 of the Office Action, the Examiner rejects independent claims 1 and 10-13 (and dependent claims 2-6 and 14-15) under 35 U.S.C. §102(b) as being anticipated by (Patterson, Lois Teach Yourself Microsoft Excel® 97 in 24 Hours, 1997). (See, Action at pages 5-10).

The rejection is traversed.

As set forth in MPEP §2131, to establish anticipation under §102, the reference relied on in support of the rejection must teach each and every element of the claim and the identical invention must be shown in as complete detail as in the claim.

Independent claim 1 recites a polling method performed by a processor for conducting a poll on a respondent group including at least one or more first respondents and second respondents including "a first questioning by presenting an input form with a question to a first respondent; obtaining a free reply by accepting input onto the input form by a first respondent of an unguided reply to said question; a first storing for storing the free reply input by the first

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respondent as a reply option to said question; closing the input form presented to the first respondent; a second questioning by presenting an input form with said question and the stored free reply to a second respondent after storing the input free reply; and accepting a choice of the stored free reply as a reply to said question on the input form presented to the second respondent."

That is, as recited by independent claim 1, for example, a form is closed after accepting a reply inputted on the form from the first user.

Further, as recited by independent claim 1, for example, after closing the form, the form is updated so that the reply inputted by the first user is represented on the form as an option for answering a question. Further, as recited by independent claim 1, for example, the updated form is presented to the second user after closing and updating the original form.

Further, as also recited by independent claim 1, the second user selects an option for answering a question. Further, as recited by independent claim 1, for example, the selection is accepted as an answer to the question.

Independent claims 10-13 have similar recitations.

Applicants submit that Patterson does not teach each and every element recited by each of the independent claims.

By contrast, with the recitation of each of the independent claims, Paterson merely teaches an "AutoFill Tool" that stores provided replies that are inputted on the same form. (See, for example, page 60). Patterson does not teach replies being inputted on a newly-opened form.

Further, Patterson merely teaches that the "AutoFill" can complete a sequence of numbers. (See, for example, page 60). But, Patterson does not teach that the fulfilled data by "AutoFill" function can be an option for answering a question.

Thus, Patterson does not teach that a form first accepts an input on a first user's terminal, and then that the form is closed on a first user's terminal and updated based on the data inputted, and the updated form is presented to a second user together with a new option for answering the question, as recited by claim 1, for example.

*   *   *

Dependent claims 2-6 and 14-15 inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for at least the reason discussed above.

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Conclusion

Since Patterson does not teach each and every element of claims 1-6 and 14-15, the rejection should be withdrawn and claims 1-6 and 14-15 allowed.

III. Rejection of claims 7-8 under 35 U.S.C. §103(a)

In item 11 of the office Action, the Examiner rejects dependent claims 7 and 8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Patterson. (See, for example, pages 9-10).

The rejection is traversed.

Dependent claims 7-8 inherit the patentable recitations of base claim 1, and therefore, patentably distinguishes over Patterson for at least the reason discussed above.

Conclusion

Thus, the rejection should be withdrawn and dependent claims 7-8 allowed.

IV. Rejection of claim 9 under 35 U.S.C. §103(a)

In item 12 of the Office Action, the Examiner rejects dependent claim 9 under 35 U.S.C. §103(a) as being unpatentable over Patterson in view of Walker et al. (U.S. 6,616,458). (See, Office Action at pages 13-14).

The rejection is traversed.

Dependent claim 9 inherits the patentable recitations of base claim 1, and therefore, patentably distinguishes over the Patterson for at least the reasons discussed above.

Further, nothing in the teaching of Walker overcomes the deficiencies in the teaching of Patterson discussed above.

Thus, even an *arguendo* combination of the art of record does not teach all the features of dependent claim 9.

Conclusion

Thus, the rejection should be withdrawn and dependent claim 9 allowed.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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